

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SENTENCING MINUTES

HON. **Rudolph T. Randa**, presiding.

Deputy Clerk: **Linda M. Zik**

DATE: **March 29, 2012 2:00 p.m.**

Court Reporter: **Heidi Trapp**

CASE NO. **11-Cr-238**

Time Called: 2:18 pm.

UNITED STATES of AMERICA v. **Sean Deray Patrick**

Time Concluded: 3:40 pm.

UNITED STATES by: **Joseph R. Wall & Melvin K. Washington**

PROBATION OFFICER: **James P. Fetherston**

DEFENDANT: **Sean Deray Patrick**, in person, and by

ATTORNEY: **Lew A. Wasserman**

Custody Bureau of Prisons 60 months on Count 1 of the Information

Custody Bureau of Prisons 360 months on Counts 2,3,4 of the Information

All counts to run concurrently for a total term of 360 months Imprisonment. This sentence is consecutive to Milwaukee County Circuit Court Case No. 10CF2423.

Credit for time served.

Recommended Institution: a facility as close to Milwaukee, WI as possible

Supervised Release 3 years on Count 1

Supervised Release 10 years on Counts 2,3,4

Terms to run concurrently for a total term of 10 years Imprisonment.

Special Conditions

 Community Correctional Center for

 X Waive confidentiality

 X Report in 72 hours

 X Financial disclosure

 X No firearms

 No new credit charges

 X Drug & alcohol testing - no alcohol

 Community service hrs.

 X Not illegally possess any controlled substance

 X Sex offender mental health treatment

 Cooperate with Child Support Enforcement

 X No contact with children under 18

 Provide DNA - already provided

 X Register as sex offender

Sentencing Minutes Continued

Defendant: **Sean Deray Patrick**

Case No.: **11-Cr-238**

Fine: \$

X Fine and costs waived

X Participate in BOP Inmate Financial
Responsibility Program

Restitution:

Payee:

Forfeiture:

X Defendant remanded to custody of U.S. Marshal (State custody)

___ Execution of sentence stayed until 12:00 pm on

___ Voluntary surrender to institution

X Defendant advised of right to appeal by court

___ Court orders copy of transcript to accompany presentence report

Special Assessment:

\$400.00

Other:

Court is in receipt today of a letter from Assistant District Attorney Sara Beth Lewis.

No objections by the parties to the factual statements in the PSR.

OL = 38, CHC = VI, 360 months to Life.

Sentencing Minutes Continued

Defendant: **Sean Deray Patrick**

Case No.: **11-Cr-238**

Government addresses §§ 3553(a) & (c). The offense is a continuing course of conduct over 5 years of sexual trafficking of children through force, fraud and violence. Physical and psychological abuse were a main part of it for the girls to make money for the defendant. It was a conspiracy to traffic children. He recruited and groomed girls to become prostitutes for him. They traveled to Chicago to “work” for him. This is high out there in terms of the seriousness of the offense. The defendant has an anti-social background. Prior criminal record addressed which starts at age 11. 13 or more criminal history points puts a defendant at CHC = VI but this defendant has 18 points which is at the top. General deterrence addressed regarding sexual trafficking of children. The public needs to be protected. In Milwaukee, the defendant was considered to be the “king” of pimps both by the police and other men. He was at the top of the chain. He said he targeted children who were vulnerable. He is a master manipulator, predator, who targeted the lost, confused and the vulnerable. He did cooperate in a State case so moving down from the guidelines impose 300 months, 25 years. He has 12 children and owes outstanding child support. Impose a concurrent sentence. The government discussed with the defendant the hows and ways of the pimping business, which was enlightening.

Defense addresses Count 1 which states it involves minor females who have not attained the age of 18 years. Distinguish the language of minor v. children. Perception changes dramatically when using “child.” This conveys what pedophiles do to 8 or 9 year olds. For some there is no distinction but it was not charged that way. The amount of coercion, physical intimidation/abuse the picture painted is women [16 year olds] were tortured, coerced or beaten daily. But some days they were not even in the same city with the defendant. They were self-supervising. They had their own hierarchyological proclivity even when the defendant was not around. The debrief with the defendant occurred on several occasions even before the indictment occurred and between the plea and sentence in the state case for which he received 20 years. The defendant provided information that all of those in the criminal justice system and not seen or heard before. An infamous kidnaping may be solved. His testimony in the Mario Harris case was instrumental and compelling. He will potentially be just as helpful in other cases. ADA Lewis finds him credible because he is intelligent and has the skills. His criminal history began at age 11 to survive. It was an economic benefit to someone else. He has an engaging personality. He can absorb what happens around him. Defense disagrees with the government that the defendant is an anti-social person. He acknowledges he messed up the women’s lives. He thinks he has some mental health and social problems. This is contrary to an anti-social personality. He admits he made the wrong choices in life. He could still be a good person. He has it within him. He obtained his HSED during a previous incarceration. He wants to do something that is legal that will support him like working with underprivileged children. He is 37 years old. He has a conscience. General deterrence is not a valid concern because the conditions in this city are getting worse. Jobs for young men are fewer. His criminal record is grossly over-represented with the driving after revocations which are the great bulk of his criminal history score. CHC VI grossly over-represents his criminal history. He is currently serving 20 years incarceration for the homicide of Joey Mason. Pages 33-34 of PSR addressed. The victim was running to the car to get his “piece.” So, the defendant fired at the car, not the victim, and he was charged with 2nd degree reckless homicide. The beating of Mr. Patrick by Mr. Mason addressed. Impose a concurrent 15 year sentence. This will right the wrongs he has committed. Send a message to the defendant to change his behavior. He began changing and making amends for all he had done the day he plead guilty to the Joey Mason homicide. He has been cooperative, polite, and insightful the last 25 years. Now that he has starting walking down the path of a good person, he is not turning back. He was there for his kids even though he owes a lot of child support. But, the mothers of his children got a lot of money from the defendant under the table. By age 50 he will be the person we want him to be.

Sentencing Minutes Continued

Defendant: **Sean Deray Patrick**

Case No.: **11-Cr-238**

Defendant does not exercise his right of elocution.

Court addresses § 3553(a):

360 months to Life on Counts 2,3,4. 60 months as to Count 1.

(1) Nature of offense: Counts 2,3,4 involved underage girls who were beaten and sexually abused; there was credit card fraud mixed in with the four counts; the girls were runaways looking for something better in their lives;

(2) History of defendant: nothing but negatives; father was in his life on and off until age 12; went to Ethan Allen School for Boys; he minimized his conduct; poverty does not cause crime; crime causes poverty; had a daily marijuana habit; the OAR's are constant and consistent; they are not small offenses; his record is a huge negative; convicted of 2nd degree reckless endangering safety but charging of the case is based upon proof; however, the victim was sitting in a car and the angle of the bullet into the brain indicates first degree intentional homicide; defense argued that the community did this to him but the community tried to help him; he says his mother tried to do the right thing by him; the criminal justice system stepped in early; he has no employment record; women have taken care of him his whole life; he was a member of the Black Gangster Disciples for a while; there are no positives; he has 12 kids by 10 different women who will be without a father; did cooperate in a State case; defense argued the girls were going to be prostitutes despite Mr. Patrick;

(3) The government gave an oral § 5K1.1 motion; Court grants the motion; Court was going to impose a Life sentence;

(4) 360 months incarceration imposed consecutive to the homicide case.

Government stresses its recommendation was 25 years incarceration concurrent to the 20 State sentence the defendant is currently serving.